

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION**

BSD, INC., a California corporation; 21<sup>st</sup>  
CENTURY GROUP, INC., a California  
corporation; and YOUSTINE, INC., a California  
corporation,

Plaintiffs,

v.

EQUILON ENTERPRISES, LLC, a Delaware  
limited liability company, ANABI OIL  
CORPORATION, a California corporation, and  
DOES 1 through 100, Inclusive,

Defendants.

Case No. 10-CV-05223-SBA

**ORDER RE STIPULATION RE  
FILING OF TWO MOTIONS FOR  
SUMMARY JUDGMENT BY  
EQUILON ENTERPRISES LLC**

Complaint Filed: November 2, 2010

Dept.: Courtroom. 1, 4<sup>th</sup> Floor  
Judge: Hon. Sandra B. Armstrong  
Mag. Judge: Hon. Jacqueline S. Corley  
Trial Date: June 25, 2012

**AND RELATED COUNTERCLAIMS.**

The parties to this action have submitted a stipulation, agreeing as follows:

Defendant, Counter-Claimant and Counter-Defendant Equilon Enterprises LLC, dba Shell Oil Products US ("Equilon") may file in this action two motions for summary judgment/adjudication as follows:

1. The first motion shall be limited to adjudication of the following counterclaims brought by Equilon against Plaintiff, Counter-Defendant and Counter-Claimant Youstine, Inc.: (1)


1 First Counterclaim for Relief for Breach of Contract.; and (2) Third Counterclaim for Relief for  
2 Declaratory Relief.

3 2. With regard to Equilon's Third Counterclaim for Relief for Declaratory Relief,  
4 Equilon shall only seek a determination by the Court as a matter of law that: (1) Equilon's  
5 termination of Youstine, Inc.'s Petroleum Marketing Practices Act ("PMPA") franchise agreements  
6 complied with the PMPA; and (2) Equilon properly terminated the Right of First Refusal Offer it  
7 presented to Youstine, Inc. to purchase the land, equipment and improvements located at 2600  
8 Pellissier Place, City of Industry, California.

9 3. The second motion shall be limited to the claims brought by Plaintiffs BSD, Inc., 21<sup>st</sup>  
10 Century Group, Inc. and Youstine, Inc. in their Complaint.

11  
12 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

13  
14 Dated: 3/16/12

  
15 HON. SAUNDRA B. ARMSTRONG  
16 UNITED STATES DISTRICT COURT JUDGE  
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